

UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK

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J&N RECORDS, LLC.,

Plaintiff,

-against-

PLANET RECORDS a Division of  
FERRANTE PRODUCTIONS, S.R.L.  
ROBERTO FERRANTE, and SCORPIO MUSIC,  
Defendants.  
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Case No. 1:12-cv-07265-TPG

**ELECTRONICALLY**  
**FILED**

**SECOND DECLARATION OF ROBERTO FERRANTE IN FURTHER SUPPORT  
OF HIS MOTION TO DISMISS THE AMENDED COMPLAINT**

Defendant Roberto Ferrante ("Ferrante"), pursuant to 28 U.S.C. § 1746, declares under penalty of perjury the following:

1. I am the President of Planet Records a division of Ferrante Production S.r.l. ("Planet Records") located at Riviera di Chiaia no. 270, 80121 Naples, Italy. I made this Declaration in further support of my Motion to Dismiss the Amended Complaint in this action for lack of jurisdiction based on my personal knowledge and belief gained through the performance of my duties and from my review of records maintained in the ordinary course of business.

2. I did not have any contacts with Juan Hildago, Marti Cuevas or any representative of J&N Records, LLC ("J&N") in New York.

3. The contracts between J&N and Planet Records were negotiated in Europe, in Cannes, France, at the Marché International du Disque et de l'Edition Musicale ("MIDEM"), which is the most important event in the world for the music business.

4. All initial solicitations to conduct business with Planet Records were initiated by Juan Hidalgo and Marti Cuevas at MIDEM.

5. All negotiations of the contracts between J&N and Planet Records were conducted in the presence of translators at MIDEM as I am not fluent in English.

6. I did not have any conference calls with Juan Hidalgo or Marti Cuevas.

7. All additional contacts in reference to the contracts between J&N and Planet Records were conducted by Domenico Cipolletta, an employee of Ferrante Productions S.r.l., with J&N representatives located in Miami.

8. I have no knowledge that J&N had an office in New York.

I declare under penalty of perjury under the laws of the United States of America that the following is true and correct. Executed in NAPOLI / ITALY on August 21<sup>TH</sup>, 2013.

By: Roberto Ferrante

